



SOME ACCOUNT OF THE ORIGIN, HISTORY, AND ANTIQUITIES OF THE INNS OF COURT.



EXTERIOR OF THE MIDDLE-TEMPLE HALL.

I. SECTION. 1.

GENERAL NOTICE OF THE INNS OF COURT IN ANCIENT TIMES.

PREVIOUS to, and immediately after, the Roman conquest, the administration of the laws of the land was chiefly confined to the ecclesiastics, who were almost the sole possessors of whatever learning was then cultivated. Hence it happened that before the time of Henry the Third most of the justices of the king's court were bishops, abbots, deans, canons in cathedral churches, archdeacons, &c.; and even so late as the reign of Henry the Seventh, the chancellorship continued to be exercised by a clergyman. The law of the land, at the time referred to, was known as the *common law*, a term which is said to have originated with Edward the Confessor, who caused a digest to be made of the various laws, customs, and decisions of the Saxons, Danes, and other inhabitants of Britain previous to the Conquest. A revision of this code was made by the Conqueror, who added some Norman institutions, and made this amended code the law of the land.

As it was customary, at an early period, for the sovereign to preside in person in courts of justice, the chancellor and justices were bound to follow the king into whatever part of his dominions he might happen to be; so that up to the granting of the Magna Charta, the king's court was moveable, as indeed is indicated in all process issuing thereout in the king's name, "wheresoever we shall be in England;" but when, in consequence of the provision in Magna Charta, that "common pleas should not thenceforth follow the court, but be held in some certain place," the principal court of common law was established in Westminster Hall, lawyers and students began to assemble in London, and soon experienced the want of some fixed and settled place for the study and practice of their profession.

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On the continent of Europe it was, and is, customary to give instruction to students in law at the Universities, but a serious obstacle prevented the adoption of this course in England. On the revival of literature, two refined systems of law attracted the attention of the learned; the one was the *Roman or Civil Law*, which was of Pagan origin, and the other was the *Romish or Canon Law*, which was of ecclesiastical origin. These laws were highly esteemed by the ecclesiastics who settled in England under the successors of the Conqueror, and ruled supreme in the Universities of Oxford and Cambridge; while the native nobles of England, who had long been accustomed to regard the common law as their most valuable birth-right, opposed the general introduction of the civil and canon law, and sought by every means in their power to encourage the practice of the common law, and to attach dignity and respect to its professors. Hence it was necessary to afford separate establishments for the accommodation of the law student. Accordingly certain *hostels*, or *inns**, were provided, called *hospitia curie*, because they were attached to, or dependent upon, the court. The time when these hostels were established is doubtful, on account of the ancient registers having been destroyed; they seem to have been sanctioned by royal authority, and to have enjoyed the exclusive privilege of receiving law students, as appears from the following proclamation of Henry the Third, prohibiting the study of the law at any other places.

"*Mandatum est maiori et vice-comit., &c. London.*—Commandment is given to the mayor and sheriffs of London, that they cause proclamation to be made through the whole city, and firmly to forbid, that no one should set up schools

* *Inn* is the old English word for the house, or residence, of a nobleman, and of the same signification with the French *hostel*, or *hotel*. The term *ostler*, though now restricted to the servant who attends our horses, was originally a general name for a servant at an inn.

in the said city, and teach the laws there for the time to come; and if any shall set up such schools there, they cause them to cease without delay. Witness the king at Basing, December 2."

These "inns," from their first institution, were formed into two great divisions, namely, Inns of Court and Inns of Chancery. The former were so called, either because the students in them were preparing to serve the king's courts, or because these students were the sons of the nobility and gentry, while the latter, probably, derived their name from their supposed appropriation to such clerks as chiefly studied the proving of writs*.

The following interesting description of these ancient inns is from Selden's Translation of the work, *De laudibus Legum Angliæ*, of Sir John Fortescue, Lord Chief Justice, and afterwards Lord Chancellor to Henry the Sixth.

"But, my prince, that the method and form of the study of the law may the better appear, I will proceed and describe it to you in the best manner I can. There belong to it ten lesser inns, and sometime more, which are called the *Inns of Chancery*, in each of which there are an hundred students at the least; and in some of them, a far greater number, though not constantly residing. The students are, for the most part, young men; here they study the nature of ORIGINAL and JUDICIAL WRITS, which are the very first principles of the law. After they have made some progress here, and are more advanced in years, they are admitted into the *Inns of Court*, properly so called. Of these there are four in number. In that which is the least frequented there are about two hundred students. In these greater inns a student cannot well be maintained under eight-and-twenty pounds a year; and if he have a servant to wait on him, (as for the most part they have,) the expense is proportionably more. For this reason the students are sons to persons of quality, those of an inferior rank not being able to bear the expenses of maintaining and educating their children in this way. As to the merchants, they seldom care to lessen their stock in trade by living at such large yearly expenses; so that there is scarce to be found, throughout the kingdom, an eminent lawyer who is not a gentleman by birth and fortune, consequently they have a greater regard for their character and honour than those who are bred in another way. There is both in the inns of court and the inns of chancery a sort of academy, or gymnasium, fit for persons of their station, where they learn singing and all kinds of music, dancing, and such other accomplishments and diversions (which are called *revels*) as are suitable to their quality, and such as are usually practised at court. At other times, out of term, the greater part apply themselves to the study of the law. Upon festival days, and after the offices of the church are over, they employ themselves in the study of sacred and profane history. Here everything which is good and virtuous is to be learned; all vice is discouraged and banished, so that knights, barons, and the greatest nobility of the kingdom often place their children in these inns of court, not so much to make the laws their study, much less to live by the profession, (having large patrimonies of their own,) but to form their manners, and to preserve them from the contagion of vice. The discipline is so excellent, that there is scarce ever known to be any piques or differences, any bickerings or disturbances, amongst them. The only way they have of punishing delinquents is by expelling them the society, which punishment they dread more than criminals do imprisonment and irons; for he who is expelled out of one society is never taken in by any of the other; whence it happens that there is a constant harmony amongst them, the greatest friendship, and a general freedom of conversation. I need not be particular in describing the manner and method how the laws are studied in these places, since your highness is never like to be a student there. But I may say in the general, that it is pleasant, excellently well adapted for proficiency, and every way worthy of your esteem and encouragement. One thing more I will beg leave to observe, viz., that neither at Orleans, where both the canon and civil laws are professed and studied, and whither students resort from all parts, neither at Angiers, Caen, nor any other university in France, (Paris excepted,) are there so many students who have

passed their minority, as in our inns of court, where the natives only are admitted."

At the time to which Fortescue refers, there were four inns of court and ten inns of chancery. The former still remain, but the number of the latter is now reduced to eight, of which one only, namely, Clifford's Inn, belongs to the original ten.

The destruction of the records renders the origin of these inns very obscure. According to Dugdale, there was an inn of court at Dowgate, called "Johnson's Inn;" another at Fewter's, or Fetter's-lane, and a third at Paternoster-row, from which last, probably, originated the custom of sergeants-at-law and apprentices sitting in Paul's-walk, each at his own pillar, hearing his client's case, and taking notes thereof on his knee. A vestige of this custom remained in the time of Charles the First, when, upon the making of sergeants, they used to go in their formalities to St. Paul's church to choose their pillar.

Stowe, in his *Survey*, originally written in 1598, enumerates these Inns in the following terms:

"There is in and about this city a whole university, as it were, of students, practisers or pleaders, and judges of the laws of this realm, not living of common stipends, as in other universities it is for the most part done, but of their own private maintenance, as being altogether fed either by their places or practice, or otherwise by their proper revenues, or exhibition of parents and friends; for that the younger sort are either gentlemen, or sons of gentlemen, or of other most wealthy persons. Of these houses there be at this day fourteen in all, whereof nine do stand within the liberties of this city, and five in the suburbs thereof, to wit:—

"*Within the Liberties*.—Serjeant's Inn, in Fleet-street; Serjeant's Inn, in Chancery-lane; for judges and sergeants only.

"The Inner Temple, the Middle Temple, in Fleet-street; houses of court.

"Clifford's Inn, in Fleet-street; Thavies Inn, in Oldborne; Farnival's Inn, in Oldborne; Barnard's Inn, in Oldborne; Staple Inn, in Oldborne; houses of chancery.

"*Without the Liberties*.—Gray's Inn, in Oldborne; Lincoln's Inn, in Chancery-lane, by the Old Temple; houses of court.

"Clement's Inn, New Inn, Lion's Inn; houses of chancery without Temple-bar, in the liberty of Westminster.

"There was some time an inne of sergeants in Oldbourne, as ye may read of Scroop's Inne, over against Saint Andrew's church.

"There was also one other inn of chancery, called Chester's Inn, for the nearness to the Bishop of Chester's house, but more commonly termed Strand Inn, for that it stood in Strand-street, and near unto Strand-bridge, without Temple-barre, in the liberty of the Dutchy of Lancaster. This inn of chancery, with other houses near adjoining, were pulled down in the reign of Edward the Sixth, by Edward, Duke of Somerset, who in place thereof raised that large and beautiful house, but yet unfinished, called Somerset House*.

"There was, moreover, in the reign of King Henrie the First, a tenth house of chancery, mentioned by Justice Fortescue, in his book of the Laws of England; but where it stood, or when it was abandoned, I cannot finde.

"These societies are no corporation, nor have any judicial power over the members, but have certain orders amongst themselves, which by consent have the force of laws. They have no lands or revenues, except their house; nor have they any thing to defray the charges of the house but what is paid at admittances and quit-rents for their chambers, when any fall to the house.

"The gentlemen of these societies may be divided into four ranks: I. Benchers; II. Utter Barristers; III. Inner Barristers; IV. Students.

"Benchers are the seniors, to whom the government of the house and ordering of matters thereof is committed; and out of these a treasurer is yearly chosen, who receiveth, disburseth, and accounteth for all monies belonging to the house.

"Utter barristers are such as, from their learning and standing, are called by the benchers to implead and argue in the society doubtful cases and questions, which are called *moots*; and whilst they argue the said cases, they sit *uttermost* on the forms of the benchers, which they call

* The word Chancery (*Cancellaria*) is derived from Chancellor (*Cancellarius*) the original meaning of which is one who is stationed at the lattice-work of a window or door-way to introduce visitors, &c. In another sense Cancellarius was a kind of legal scribe, so called from his position at the cancelli of the courts of law.

* A historical notice of Somerset House will be found in *Saturday Magazine*, Vol. XXI., p. 27.

the bar. And the rest of the society are accounted *inner barristers*, who, for want of learning or time, are not to argue in these moots; yet in a moot before the benchers, two of these, sitting upon the same form with the utter barristers, do for their exercises recite by heart the pleadings of the same moot-case in law *French*; which pleading is the declaration of the said moot-case at large; the one taking the part of the plaintiff, and the other of the defendant. For the times of these mootings they divide the year into three parts; *viz.* 1, the learning vacation; 2, the term times; and 3, the dead or mean vacation.

"They have two learning vacations: *viz.*, *Lent* vacation, which begins the first Monday in Lent, and continues three weeks and three days; and summer vacation, which begins the Monday after Lammas-day, and continues also three weeks and three days; and in these vacations are the greatest conferences and exercises of study."

SECTION 2.

THE INNER AND MIDDLE TEMPLE.

The Temple has derived its name from that religious military order the Knights Templars, whose history has already been sketched in this work*. On the suppression of the order, in 1310, their estates together with the house in London devolved upon the crown; and these were granted, by Edward II., in 1313, to Thomas, earl of Lancaster. After the attainder of that nobleman, they were bestowed on Adomar or Aimer de Valence, earl of Pembroke, under the description of "the whole place and houses called the New Temple, at London, with the ground called Fiket's Croft, and all the tenements and rents with the appurtenances that belong to the Templars in the city of London and suburbs thereof, with the land called Flete Croft, part of the possessions of the said New Temple."

From Aimer de Valence the estate passed to Hugh le Despencer the younger; and on his execution it once more reverted to the crown. In the year 1324, the Council of Vienne having issued a decree whereby the lands of the Templars were bestowed upon the hospitals of St. John of Jerusalem, Edward III. granted the house of the Inner Temple to the knights of that order in England. By them it was demised, for the rent of ten pounds per annum, to certain students of the common law, who are supposed to have removed from Thavies Inn, in Holborn.

The new institution increased rapidly in numbers and importance, until the rebellion of Wat Tyler exposed it to the attacks of the insurgents, who destroyed the books and records of the society. According to Stowe, "they destroyed and plucked down the houses and lodgings of this Temple, took out of the church the books and records that were in hutches of the apprentices of the law, carried them into the streets and burnt them; the house they spoilt, for wrath they bare Sir Robert Hales, lord prior of St. John's, in Smithfield."

The fury of the populace in times of civil commotion has been commonly displayed against the law and its ministers: the feeling of sympathy which prompts the rebels to throw open and set fire to the prisons, generates the opposite feeling, which displays itself against the houses of lawyers and the courts of justice. Shakspeare has given a graphic picture of these vulgar prejudices, in the scenes which introduce Jack Cade and his companion rebels:—

"*Dick*. The first thing we do, let's kill all the lawyers.

"*Cade*. Nay, that I mean to do. Is not this a lamentable thing, that the skin of an innocent lamb should be made parchment? that parchment, being scribbled o'er, should undo a man? Some say the bee stings: but I say it is the bee's wax, for I did but seal once to a thing, and I was never mine own man since. * * * Now go, some, and pull down the Savoy; others to the inns of court! down with them all!"

The destruction of the records by Wat Tyler, causes the early history of the Temple to rest upon tradition merely. The increased prosperity of the society evidently led to a division into two separate bodies, called the Society of the Inner Temple and the Society of the Middle Temple; but at what time this division was made does not appear, although some writers refer it to the reign of Richard the Second. The two societies continued to hold their houses as tenants to the Knights Hospitallers till the time of their

dissolution, in the thirtieth year of the reign of Henry the Eighth, when they held under the crown, by lease, down to the sixth year of the reign of James the First, at which time the whole of the buildings of the two Temples were granted, by letters patent, bearing date at Westminster, 13th August, by the name of "*Hospicia et capitalia mesuagia cognita per nomen de le Inner Temple et le Middle Temple, sive Novi Temple, London,*" unto Sir Julius Cesar, knight, then chancellor and under-treasurer of the Exchequer, and to the treasurers and certain benchers of these inns of court; "to have and to hold the said mansions, with the gardens and appurtenances, for ever, for lodgings, reception, and education of the professors and students of the laws of this realm," on payment from each society to the king of the yearly sum of ten pounds.

The only portion of the ancient buildings at present remaining is the church, a history and description of which has been already given*. The old hall, erected probably about the time of Edward the Third, was rebuilt after the great fire in 1678, and was adorned with a new entrance in 1816. It is a fine room; but of somewhat small dimensions; it is ornamented with emblematical paintings by Sir James Thornhill, and many portraits of distinguished lawyers, among which may be mentioned those of the celebrated Littleton, who died in 1481, and his commentator Coke, a distinguished lawyer and judge in the reigns of James the First and Charles the First.

The Inner Temple contains a good library, which is open to students and others, on application to the librarian, from ten in the morning till one; and in the afternoon, from two till six. The other buildings consist principally of extensive courts or squares, surrounded by houses or chambers. Each house, consisting of several sets of chambers, is ascended by a common staircase; and each set of chambers usually occupies the half of one floor, the rents of which differ in proportion to situation, size, &c.

The various divisions of the buildings in the Temple for the most part retain the names of their founders, though others are denominated from their vicinity to the principal offices and other circumstances; as the King's Bench walk, from being situated near the King's Bench office; Churchyard court, from its adjoining the churchyard, &c. The origin of these and several other erections is given by Dugdale, in his *Origines Juridicales*, from which we select the following:—

"The wall betwixt the Thames and the garden was begun in 16 Hen. VIII., Mr. John Pakington (afterwards serjeant at law) and Mr. Rice being appointed overseers of the work. This Mr. Pakington was treasurer here in 20 Hen. VIII., and caused the hall to be tiled. He also built divers chambers, between the library and Barrington's Rents, and gave 10*l.* to the treasury; for which respect it was ordered by the society, 5th of February, 25 Hen. VIII., that those new chambers should be thenceforth called Pakington's Rents. The lodgings in that court, now known by the name of Tanfield court (by reason of Sir Laurence Tanfield, chief baron's residence there) were first erected by Henry Bradshaw, treasurer, in 26 Hen. VIII., whence they were long after called Bradshaw's Rents."

"In 2 Eliz. were those buildings raised near the Alienation office, and called Fuller's Rents, by an order of the society, 22 Nov. 5 Eliz., by reason that John Fuller was then treasurer.

"In 23 Eliz. those lodgings in the Middle Temple Lane, called Crompton's Buildings (in part whereof the prothonotaries' office of the common pleas is kept) were erected by Thomas Crompton, Esq., a member of this society.

"In 38 Eliz. there were divers lodgings of rough cast work built betwixt the church and the hall on the east part of that court; towards the charge thereof Sir Julius Cesar, knight, then master of the rolls, gave 300*l.*; in consideration whereof he had power to admit any gentleman into the society during his life: which buildings are still called Cesar's Buildings."

The visitor to the Temple is attracted by its beautiful garden, which is laid out with flower borders, turf walks, and gravel promenades. The view from it up and down the river is pleasing and animated; and as these gardens are open to the public they are much frequented. Shakspeare, in the first part of his historical play of Henry the Sixth, makes these gardens the scene of the origin of the factions of York and Lancaster.

Before the hall is a broad paved terrace which forms an

* See a course of articles on the "Round Churches of England," in the Twenty-first Volume of the *Saturday Magazine*.

* See *Saturday Magazine*, Vol. XXI., pp. 73, 87.

excellent promenade when the gardens are not sufficiently dry. In wet weather the cloisters allow the student to exercise his limbs, although the ancient purpose to which this sheltered walk was applied seems now to be forgotten. It was formerly customary amongst the Temple students to assemble in the cloisters towards evening, and exercise themselves by putting points of law and arguing them amongst themselves. When the old Temple cloisters had been destroyed by the great fire of London, Lord Nottingham was requested by the Society of the Middle Temple to obtain the assent of his society to a plan they had formed of building chambers on the site. But he rejected the proposal at once, declaring that he would not consent that impediments should be thrown in the way of those who desired to continue the laudable custom of putting cases. Sir Christopher Wren, however, by building chambers over the cloisters, reconciled the wishes of both.

As our object in these notices is to make the reader acquainted with the inns of court as they were in the days of their mootings, revels, and feasting, we select a description of the interior of the Inner Temple Hall, made by Mr. Ireland at the commencement of the present century, before it had undergone much alteration. He says:—

"It is very well proportioned, though small: the ceiling has a gothic curve, and is supported by six ribs in the same bend; these spring (which is somewhat singular) irregularly from the new piers on the north side, as well as from the south or old front. The ribs are ornamented with grotesque figures, and the spaces between, in the ceiling, are filled up with large uncouth forms of roses in chiaro-oscuro. At the lower end of the room is a neat screen, supported by four pillars of the Tuscan order, above which is a small shield with the letters I. T. R. inscribed thereon (the initials of the name of the treasurer at that time), on the dexter side is a Pegasus, and on the sinister a griffin; the date is 1680. Above this shield is a large king's arms, carved in wood. On the right of the passage, at the grand entrance, are two very ancient apartments, that appear to have been out-offices; they are ceiled with groined arches, and the gothic windows are in part blocked up: they denote the full extent of the ancient buildings belonging to the hall. Between the two ancient windows at the upper end of the hall, within a gothic compartment, is a large allegorical picture, painted by Sir James Thornhill, in 1709. He has here introduced the story of Pegasus, in compliment to the crest of the society. Beneath this picture are whole lengths of William and Mary, Queen Anne, and the learned Coke and Littleton in their robes; Coke appears to be, though not original, at least well painted. About seven years ago these pictures were taken down, and I am informed, by a gentleman who examined them at the time, that they had been much repaired in the faces, and that the picture of Coke is the work of one Wright, who was employed by the city to paint portraits of the judges for Guildhall, after the fire of London. In the books of the society we are informed that new frames were made for both these pictures in 1694. The portrait of Littleton is most likely a copy from some old picture painted in his life-time. Dr. Littleton, who died Bishop of Carlisle, and was descended from the judge, believed it to have been taken from a painting of him in glass in a church in Worcestershire, and to the best of his recollection it was that of Frankley.

"In the portrait of Coke his beard is white, and the hair under his coif of a light brown; this circumstance, says the Hon. Daines Barrington, may be considered as a rare instance, the white hair testifying his wisdom, while the bright brown may be construed as a mark of the vigour of his understanding. He died at the advanced age of eighty-six, in 1634.

"Among these portraits, at the latter end of the last century, there hung one of a remarkable person, the infamous Chancellor Jeffries; it was a whole length, painted by Sir Godfrey Kneller, for the society in the reign of Charles the Second, and for which he was paid fifty pounds. In the succeeding reign of James the Second this chancellor became most deservedly unpopular, and in 1693 the portrait of such a man being considered as of no credit to the society, it was ordered by the bench to be removed, that no further indignity might be shown to it, and 'that Mr. Treasurer do declare to the Lord Jeffries, his son, that at his lordship's desire, the house do make a present to his lordship of his father's picture, now in Mr. Holloway's chamber, who is desired to deliver the same to his lordship or his order.' It was accordingly delivered to his lordship,

and was conveyed to the family house at Acton, near Wrexham, in Denbighshire.

"From the upper end of the hall we entered a handsome spacious parlour, lined with oak, and decorated around, on the upper part of the wainscot, with the arms of the various readers of this society, consisting of about 350, emblazoned in small compartments, from the time of Henry the Sixth to the present period. The earliest name of a reader introduced here is that of Thomas Littleton, who was a Knight of the Bath in that reign. This room is called the Parliament Chamber, and here the treasurer and benchers of the society meet to transact their business, which from hence is called parliamentary.

"Over the chimney in this apartment are some carvings of allegorical figures, birds, fishes, wheat-sheafs, &c.; above these ornaments, which are but indifferently executed, are the arms of the society, a Pegasus within a shield, on which is inscribed, 'Thomas Walker, Ar. 1705.'

"From hence we enter several handsome apartments, appropriated to the purposes of a library, which by several donations is furnished with books to the amount of 10,000, for the use of the gentlemen of the inn. In this library are a few portraits, viz., George the Second, Queen Caroline, Carey, Lord Hunsdon, which appears to be an original; Judge Twisden, a small whole length; Finch, earl of Nottingham, Sir Martin Wright, Lord Chancellor Harcourt, and William Petyt, Esq., who gave many valuable MSS. to this society. This gentleman was Recorder of London in the time of Charles the Second, and ably exerted himself against that monarch, when he strove to deprive the citizens of their charter, by a writ of *quo warranto*. In this exertion he is well known to have succeeded."

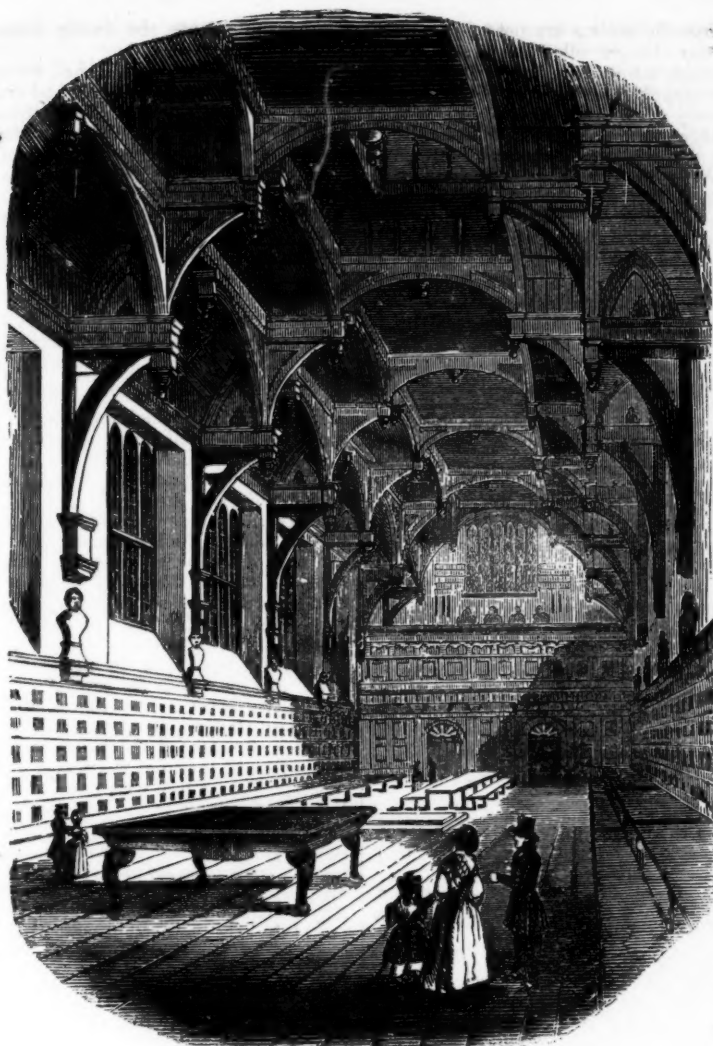
The two Temples are separated by Middle Temple lane, a long narrow street, which extends to the water side. The entrance to it from Fleet-street is by a gateway, which is said to have been erected by Sir Amias Powlet, in place of one destroyed by a great fire. It appears that Sir Amias, about the year 1601, thought fit to put Wolsey, then an obscure priest of Lymington, into the stocks. This affront was not forgotten when Wolsey became cardinal; for, in 1515, Sir Amias was summoned to London, and commanded to wait the favourite's orders. He was therefore lodged, during five or six years, in this gateway, which he rebuilt; and, to pacify his eminence, he adorned the front with the cardinal's cap, badges, cognizance, and other devices, "in a very glorious manner."

The courts and squares, the gardens and fountain of the Middle Temple, do not call for particular remark or description. Its hall is deservedly celebrated, and is thus noticed by Ireland:—

"On entering this magnificent hall, the eye is naturally attracted, and receives every gratification from an assemblage of the best disposed parts in the gothic style of building that could have been selected, and which are preserved with a degree of care and attention highly creditable to the members of this honourable society. The length of this noble room, including the passage, is about 100 feet, the width about 40. The height of the roof, which is of oak, highly wrought, is well proportioned to the general dimensions of the building, and leaves the eye of the critical observer perfectly satisfied. The roof consists of eight principal rafters, projecting from the side-walls to support it; they reach the summit by three different curves, one richly carved and moulded, and have, at the extremity of each curve, a bold pendant ornament.

"There are also gothic ribs springing from each of the principal rafters, that give a richness to the whole of the design. The spacious windows, rising between each rafter, are decorated with coats of arms in stained glass, of the various noblemen and gentlemen who have been members of this honourable society. The rebuilding of this elegant structure was begun in the year 1562, when the celebrated Plowden was constituted treasurer for this work; it was finished in 1572, four years after he quitted that office, but he voluntarily consented to superintend it till it was completed. At the west end of this elegant hall is a spacious gothic window, decorated in the same style with those preceding, beneath which are several whole-length portraits in oil, as large as life, viz., in the centre Charles the First on horseback, with his page holding his helmet; Charles the Second and Queen Anne on his right, and William the Third and George the First on his left."

Mr. Ireland says that this portrait of Charles the First is undoubtedly a copy, after Vandyke; said to have been made by Sir Peter Lely, but rather the work of one Stone,



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who frequently copied him, yet never could attain the manner of the original, but always adopted a sombre and heavy tint, by which his pictures may easily be distinguished.

"Over the passage entrance is a handsome space, allotted for the purposes of a music-gallery, the use of which has long been discontinued: this gallery is equal in width to the hall, and about nine feet deep; it is decorated with various pieces of armour, consisting of breast-plates, helmets, &c., which, though evidently not more ancient than the time of Charles the Second, ignorance and a love for the marvellous have, in the opinion of many, carried them back to the time of the Knights Templars, whose they insisted were these identical pieces. In the seventeenth of Elizabeth, the screen beneath this gallery was erected: it is very richly carved in oak, with no regularity of order or style, but is a kind of mongrel gothic. It is supported by six Doric fluted pillars, an order very much in use at that period."

Beneath the windows, on each side of the hall, are ranged in small compartments in oak, the arms and names of the various readers, from Richard Swaine, in 1597, to the present period; they are still annually elected, and the place is preserved, but the lectures have long since been discontinued.

Mr. Herbert says, that the massy oak tables and benches with which this apartment was anciently furnished, still remain, and may do so for centuries, unless violently destroyed. In the parliament chamber are painted all the arms of the treasurers since the first who possessed the office; it is likewise adorned with some of Gibbons's carvings.

In one of the *Essays* of Elia on "The Old Benchers of the Inner Temple," many of the localities of this classic region

are noticed. "I was born," says this pleasant writer, "and passed the first seven years of my life in the Temple. Its church, its halls, its gardens, its fountain, its river, I had almost said, for, in those young years, what was this king of rivers to me, but a stream that watered our pleasant places? these are of my oldest recollections. I repeat, to this day, no verses to myself more frequently, or with kindlier emotion, than those of Spenser, where he speaks of this spot:—

There when they came, whereas those brick towers,
The which on Themmes brode aged back doth ride,
Where now the studious lawyers have their bowers
There whylome wont the Templer Knights to bide,
Till they decayed through pride.

Indeed, it is the most elegant spot in the metropolis. What a transition for a countryman visiting London for the first time,—the passing from the crowded Strand or Fleet-street, by unexpected avenues, into its magnificent ample squares, its classic green recesses! What a cheerful, liberal look hath that portion of it, which, from three sides, overlooks the greater garden; that goodly pile

Of building strong, albeit of Paper hight,

confronting, with massy contrast, the higher, older, more fantastically shrouded one, named of Harcourt, with the cheerful Crown-office row, (place of my kindly engendure,) right opposite the stately stream, which washes the garden-foot with her yet scarcely trade-polluted waters, and seems but just weaned from her Twickenham naidess! a man would give something to have been born in such places. What a collegiate aspect has that fine Elizabethan hall

when the fountain plays, which I have made to rise and fall how many times! to the astoundment of the young urchins, my contemporaries, who, not being able to guess at its recondite machinery, were almost tempted to hail the wondrous work as magic! What an antique air had the now almost effaced sun-dials, with their moral inscriptions, seeming coevals with that time which they measured, and to take their revelations of its flight immediately from heaven, holding correspondence with the fountain of light! How would the dark line steal imperceptibly on, watched by the eye of childhood, eager to detect its movement, never caught, nice as an evanescent cloud, or the first arrests of sleep!

Ah! yet doth beauty, like a dial-hand,
Steal from his figure, and no pace perceived!"

SECTION 3.

ANCIENT ORDERS AND CEREMONIES.

Dugdale notices various orders and regulations made from time to time, for the better government of this society. Some of them may be selected as curious illustrations of ancient manners.

In the 3rd and 4th of Philip and Mary, an order was made, that thenceforth no attorney or common solicitor should be admitted into this house, without the assent and agreement of their parliament.

In the 42nd of Elizabeth it was ordered, that none should be admitted of this society, except he were of good parentage, and not of ill behaviour. Fellows were also prohibited from admitting any person to lodge in their chambers, except their known clerks and servants, upon pain of forty shillings, to the use of the house.

In the 3rd and 4th of Philip and Mary, an order was made, that every man called to the bench, should keep some learning vacations next after his calling to and coming to the bench, upon pain of forfeiture for every vacation, five pounds.

We learn also from these orders, that up to the second year of Queen Elizabeth's reign, this society was accustomed to drink from cups of "ashen wood," when they were laid aside, and "green earthen pots" introduced.

Several orders refer to the qualifications of the barristers, that special regard may be had to the learning of such as shall be called to the bar and bench.

In the time of Philip and Mary, fellows were ordered to repair to church, to hear mass, matins, evensongs, &c. In the reign of Elizabeth they were ordered to attend church, to hear divine service and sermons, at the usual days and times, unless hindered by sickness, or some other reasonable cause; and they were ordered to receive the communion once at the least in every year.

In the 38th of Henry the Eighth an order was made, that the gentlemen of this company should reform themselves in their cut or disguised apparel, and not have long beards; and that the treasurer of this society should confer with the other treasurers of court, for an uniform reformation, and to know the justices' opinion therein, and thereupon to perform the same. Whereupon, in their parliament held 5 Maii, 1 & 2 Ph. & Mar., there was a decree made, that no fellow of this house should wear his beard above three weeks' growth, upon pain of twenty shillings forfeiture; and for their better regulation in apparel, it was ordered in 38th of Elizabeth, that if any fellow in commons, or lying in the house, did wear either hat or cloak in the Temple church, hall, buttery, kitchen, or at the buttery-bar, dresser, or in the garden, he should forfeit for every such offence six shillings and eightpence. And in the 42nd of Elizabeth, that they go not in cloaks, hats, boots, and spurs, into the city, but when they ride out of town. In the 38th of Elizabeth it was ordered, that no fellow should come into hall with any weapon, except his dagger or his knife, upon pain of forfeiting five pounds.

In the 13th of Henry the Eighth, an order was made in parliament, that none of the society should, within this house, exercise the play of *shoffe-grote*, or *slyp-grote*, upon pain of six shillings and eightpence.

In the reign of Philip and Mary, some curious regulations were made respecting the dress of the members of the Middle Temple. It was ordered that none should thenceforth wear any great bryches in their hoses, made after the Dutch, Spanish, or Almon fashion, or lawnde upon their capps, or cutt doublets, upon pain of three shillings and fourpence forfeiture for the first default, and the second time to be expelled the house. In the 26th of Elizabeth, the

following orders were made:—1. That no great ruff should be worn. 2. Nor any white colour in doublets or hosen. 3. Nor any facing of velvet in gownes but by such as were of the bench. 4. That no gentleman should walk in the streets in their cloaks, but in gownes. 5. That no hat, or long or curled hayr be worn. 6. Nor any gownes but such as were of a sad colour.

In the constitution of the Middle Temple, its ancient ceremonies, and the rank and number of its officers, there were some peculiarities which distinguished it from the Inner Temple. "In both, and in fact in all the inns of court and chancery," says Mr. Herbert, "the important concern of eating and drinking seems to have occupied the most attention: instruction, such as it was, (consisting of public readings or lectures, given by a principal of the society, and the mootings, or arguing of cases,) was only a secondary object. In other respects, the rigorous strictness of a university was observed. In the solemn revels, as they are called, *post revels*, *dancings*, and other frequent entertainments, in which the grave gentlemen of the bench indulged, an absurd degree of homage seems to have been exacted from the inferiors to the principals of the society, and the minutest punctilios in dress and behaviour watched with a ridiculous anxiety." Most of these ancient forms and ceremonies have passed away, and, according to the present system, the law-student is only required to dine in the hall of the society a certain number of times during term. A student dining a fortnight in each term is said to be *keeping his commons or keeping the term*; and twelve of these terms qualify him to be called to the bar. The amount of his subsequent practice in the courts does not of course depend upon the success with which the student thus "*eats his way to the bench*."

The two societies now consist of benchers (or such as have been readers), members, barristers, and students.

The government of the society is vested in the benchers, whose general meetings to transact business are called *parliaments*, and are held with much state and formality. The benchers first meet in the parliament chamber, which is at the lower end of the hall, and take places according to seniority. Then the treasurer, sitting at the table bare-headed, reads petitions or proposes such subjects as are to be discussed; the under treasurer standing by in attendance. Any difference of opinion is settled by vote. All new laws passed by the parliament are notified to such inferior members of the house as are in commons, by the high treasurer; and such members are bound to attend every last Friday of each term (which is called a parliament or attendance); all absentees being liable to a forfeit of three shillings and four pence.

The office of treasurer is of considerable importance, and the person who fills it is chosen yearly by the parliament from among the readers. He is the supreme officer of the whole society, and has the regulation of their concerns. He admits gentlemen into the society, and on such occasions has power to remit or abate fines. He is to make sale of such chambers as are forfeited, or fall to the house by the death of its members. He is the disburser of the society's cash, and has the power to make repairs to a limited extent: he may, likewise, compound and mitigate forfeitures, house duties, rents of the tenants, and other matters which concern the society. The treasurer has no salary, but the active business of the office is performed by the under treasurer, who has a salary and certain fees for searching, copying, or certifying the records and orders of the house.

But the modern proceedings of the Inns of Court are too brief and business-like to afford much amusement to the general reader; we must therefore seek the company of old Dugdale to obtain a just notion of the extent and importance of these societies in the olden time. His account of the various duties of the officers of the Middle Temple, furnishes an interesting picture of ancient manners, of which the following is a tolerably full abstract. As we shall occasionally quote the language of our author, we retain, to a certain extent, the present tense.

The steward is to provide the ordinary diet for the house; he is attended by his servant besides a porter and panner-man to bring in the meat; he also keeps a roll in which the names of all persons are entered, who are either in whole or half commons. Every Saturday he casts up the commons in the presence of two utter barristers in term, and two gentlemen under the bar in vacation, who audit his accounts. The steward makes up his roll from the buttery-book kept by the chief butler.

The steward and his servant serve in the meat, in messes, through the whole hall, except to the masters of the bench table and their associates, who are served by the second butler and his assistant; and to the masters of the bar, consisting of such as have been readers of New Inn, who are served by the second butler and the pannier-man.

The chief butler keeps a buttry-book for entering such orders as are made by the bench at table. He provides bread and beer, and green earthen drinking pots. He provides cheese at his own expense, and assigns to each his portion after dinner.

It is the butler's province to call any student guilty of a misdemeanour to the bench-table, there to be reprimanded. He likewise provides torches for the solemn revels, together with a white rod and staff for the readers-elect, which are the two next ancient in commons then present in the hall. The first, who is denominated master of the revels, is at all solemn revels to carry the white staff, and leads the several dances, or ancient measures, conducting the whole society (all under benchers) round the hall at those times: the other is to carry the white rod or verge, and is called "the master of the ceremonies," who, standing at the cupboard, with a loud voice, doth thrice summon the master of the revels to come forth and perform that duty. He was to notice such as were absent on these occasions, and present them to the bench; to give information of such as wore hats, boots, or long hair, ("for the which," says our author, "he is commonly out of the young gentlemen's favour,") and the like, and to appoint such as in term are to recite pleadings or to moot.

The other butlers were to see the tables covered in the hall, and cleared again at the end of every meal. The oldest was to attend the bar-table and the tables on that side of the hall. The *puise* or fifth butler those on the other side, and to serve the different tables there with bread and beer. This latter was to say grace both before and after meat, with a distinct and audible voice; standing in term-time with his face towards the bench-table, and in vacation towards that of the bar. By an entry in the buttry-book, made in the 18th year of Elizabeth, the three butlers were to have from every gentleman a salary of twelve pence, but this sum was afterwards raised. The collection thus made was by an order made in the same reign to be divided into four parts, of which three-fourths belonged to the three ancient butlers, and the remaining fourth to the two younger, whose business it was to wash pots, fill beer, chip bread, and generally to assist the others. The yearly wages of the head butler were three pounds, six shillings, and eight pence, and of the other four twenty shillings each.

The chief cook had various perquisites, as the dripping and scummings, the rumps and kidneys of loins of mutton, (which was the ancient supper fare). He also gave every Easter Term a calves' head breakfast to the whole society, for which every gentleman paid a shilling, or more if he pleased. But in the reign of James the First, this breakfast was discontinued, and a dinner substituted, to be given on the first and second Monday in Easter Term. "And, whereas, heretofore the benefit of these breakfasts was wholly conferred upon the cooks; now all other inferior officers of the house, viz., scullions, turnspits, washpots, under-butlers, the pannier-man, porter, and such like, do (by usurpation) partake of the gentlemen's bounty, and, theretofore, stood in ranks at the hall-door, ready (as the gentlemen passed out of the hall after dinner) to receive their benevolence. But this custom of standing, being disliked by the society, hath been laid aside, and in lieu thereof there is a roll, called the calves' head roll, instituted, whereby every bench is taxed yearly at two shillings, every barrister at one shilling and sixpence, and every gentleman under the bar at one shilling, which is a greater advantage to the said officers and servants."

The chief cook's wages were the same as the chief butler's. The under cook received forty shillings, the turnbroach twenty six shillings and eightpence. The scullions were paid by the casual benevolence of the gentlemen.

The second cook was bound to provide special *achates** for the bench-table, and likewise for the ancient mess of the bar-table, as also of the ancients' table, such as are past their reading and never read.

The pannier-man, by the winding of his horn, summons the gentlemen to dinner and supper. He provides mustard, pepper, and vinegar; and hath for his wages yearly three pounds, six shillings, and eightpence, and the frag-

* *Cates* or *achates* are purchased provisions, from the French *acheter*, to buy or purchase.

ments of certain tables, which he serves and is to attend unto.

Students could be admitted generally or specially. If generally the fee was five marks; but if specially, five pounds.

The habit of the student was a gown, and in term time a round cap, which was worn both in the hall and in church. On admittance the student was entitled to make purchase of a chamber, which, under certain conditions, belonged to him for life; and he was entitled to sell his interest in it.

After performance of the regular exercises of the house, the student was admitted to the degree of utter barrister, anciently by the call of the reader, but afterwards by the benchers. The ceremony of calling to the bar, consisted merely in the notification of election to the other barristers, the entry of the name by the under-treasurer, and taking the oath of supremacy at the cupboard. They were not allowed to wear a bar-gown openly, or to practise, till they had continued their exercise of mootng for some time afterwards in the inns of chancery.

The next step to which the barrister ascended was to the *cupboard*. Four of these cupboard men, in the reading times, argued cases by turns, and were usually the four senior barristers. No man was to become a cupboard man unless he resolved to read in his turn, in which case he gave an expensive treat. Within two years from the time of being made cupboard man he usually became bench, and then a reader.

The reader-elect, on being called to the bench-table where he was thenceforth to take his commons, was to give a garnish of wine for his first welcome; and when his readings were finished, and he removed from the bar-table to the "ancients' table," was to give likewise a second garnish of wine for his welcome there. After which he was freed from all the exercises of the house, and also from the ceremony of "walking the old measures about the hall at the times accustomed."

The following curious ceremonies were observed by the new readers. At the ensuing feast-day of All Saints, when such dignitaries as were educated at the inn were "highly feasted," and came in their scarlet robes, the readers were to meet and conduct them to the upper end of the hall. "For distinction and order's sake, the one of them, viz., the ancient, hath a white staff in his hand; the other a white rod, with which they usher in the meat, following next after the musick. When the meat is brought to the table (which at such solemn feasts is always performed by young gentlemen of the house under the bar), the one of the two new readers-elect receives every dish of the gentleman who carried it, and placeth it on the table in decent order; the other standing by to wait on the judges. And during the feast they both, with solemn curtesies, welcome both the judges and sergeants.

"Besides this, the *puise* reader-elect serves every mess throughout the hall, receiving it from the steward and placing it on the table. Dinner being ended they wait on the judges and sergeants; ushering them either into the garden or some other retiring place until the hall be cleansed and prepared, and then they usher them again into the hall, and place them in their rooms one after another. This being done, the ancient of the two, that hath the staff in his hand, stands at the upper end of the bar-table; and the other, with the white rod, placeth himself at the cupboard, in the middle of the hall, opposite to the judges; where the musick being begun he calleth twice the master of the revels. And, at the second call, the ancient, with his white staff, advanceth forward, and begins to lead the measures; followed, first by the barristers, and then the gentlemen under the bar, all according to their several antiquities; and when one measure is ended, the reader at the cupboard calls for another, and so in order.

"All such as are in commons, under the degree of bench (except only them of the ancients' table who are past their readings) ought not to be absent from solemn revels: and whoever they be that do absent themselves, do forfeit or are finable *iiis. iiid.* And whosoever of the bar that are made choice of to carry up *wafers* (on grand days) to the judges, and do refuse, do forfeit *xs.* And whosoever of the young gentlemen under the bar that refuse, do forfeit *vs.* And whosoever, on days of solemn revels, do refuse to carry up bread and beer to the masters of the bench do forfeit—barristers *viz. viiid.* and others *iiis. iiid.*

"When the last measure is dancing, the reader at the cupboard calls to one of the gentlemen of the bar, as he is walking or dancing with the rest, to give the judges a

song; who forthwith begins the first line of any psalm as he thinks fittest, after which all the rest of the company follow and sing with him. Whilst they are thus walking and singing, the reader with the white rod, departs from the cupboard, and makes his choice of a competent number of utter barristers and as many under the bar, whom he takes into the buttery, where there is delivered unto every barrister a towel with wafers in it, and to every gentleman under the bar a wooden bowl filled with ipocras, with which they march in order into the hall, the reader with his white rod going foremost. And when they come near to the half pace, opposite to the judges, the company divide themselves, and half (as well barristers as those under the bar) standing on the one side of the reader, the other on the other side; and then after a low solemn congee made, the gentlemen of the bar first carry the wafers; the rest, with the new reader, standing in their places. At their return they all make another solemn low congee, and then the gentlemen under the bar carry their bowls of ipocras to the judges; and returning when the judges have drank, they make the like solemn congee, and so all depart, saving the new readers-elect, who wait upon the judges till their departure, and then usher them down the hall unto the court gate, where they take their leaves of them.

"Besides these solemn revels, or measures, aforesaid, they had wont to be entertained with post revels, performed by the better sort of the young gentlemen of the society with galliards, corrañtes, and other dances; or else with stage plays; the first of these feasts being at the beginning and the other at the latter end of Christmas."

The reader entered on his reading with much state and ceremony. He first absented himself from commons for a time and kept his chamber, that his reappearance might be with more splendour. On the Sunday afternoon preceding his entry on his office he went to church, accompanied by such benchers as were in town, two of whom, generally the next precedent readers, were appointed for his assistants. He was besides accompanied by at least twelve or fourteen servants in rich liveries, and the same night at supper took his place in the hall, in a chair prepared for him at the upper end of the benchers' table.

The following morning he chose his sub-lecturer, to whom delivering his bag of books and papers, he repaired to the parliament chamber to breakfast; after which he went into the hall, where the whole society awaited his coming, and, resting at the cupboard, there took the oaths of supremacy and allegiance. He then seated himself at the lower end of the bench-table, where the sub-lecturer first read over the statute, or that part of it which he intended to discuss. The reader himself then began with a grave speech, excusing his own weakness, with desire of their favourable censures; and concluded with the reasons wherefore he made choice of that statute.

These readings were frequently honoured with the attendance of such judges and serjeants as had been brought up in the house, who came always in their purple robes and scarlet hoods, and were placed on a form opposite to the benches with their backs to the reader. The debate finished with a grand feast, in which the principals of the company were entertained by the reader at his own table, and every other mess throughout the hall was honoured with an extraordinary dish.

Other arguments succeeded the removal of the dinner-cloth, and this agreeable method of study was adopted every Monday, Wednesday, and Friday; the other days being spent in feasting and entertaining strangers, "who are commonly great lords and other eminent persons. But to the guests of never so high a degree, the reader, within the precincts of the house, hath precedence of them; and at the table keeps his chair at the upper end. His expenses, during this time of reading, are very great; inasmuch as some have spent above six hundred pounds in two days less than a fortnight, which now is the usual time of reading."

The expense of these entertainments had during a long period gradually increased. By an order of the bench made in the reign of Philip and Mary, every summer reader was enjoined to spend fifteen bucks in the hall during his time of reading: few summer readers, however, had less than three score bucks, besides red deer; some provided four score, and even a hundred. A brace of bucks was commonly bestowed on New Inn to feast the students there; and the neighbouring parishes of the Temple also partook of the reader's bounty. The house contributed a small sum towards this expense, allowing each reader one hog-

head of wine, or 5*l.* in money; and a special admittance of any gentleman into the house, or 5*l.* in lieu thereof. In the last week of his reading, a costly feast was provided for the entertainment of foreign ambassadors, and men of quality: this was called the "reader's feast." It was not however at his expense, but at that of four gentlemen of the house, who were called "stewards of the feast." Two of them were outer barristers, and the other two under the bar, whose expense was at least 10*l.* each.

The readings were originally held during the space of a month, but were afterwards reduced to a fortnight. When they were completed the students usually accompanied the reader with great state and solemnity to his residence, and treated him with a supper.

By such means the reader became a bencher. He was invited by the benchers to the first parliament of the succeeding term, in which modestly taking the lowest seat, one of his assistants, in a formal oration, declared the reader's great learning, and the expense he had been at; after which the reader himself in another grave oration, spoke of the important assistance he had derived in the fulfilment of his office, from the gentlemen of the society: after this, having receiving the thanks of the bench, "they all sit down to supper; at what time (and not before), the reader is an absolute and confirmed bencher, and hath voice with the rest in all succeeding parliaments."

In ancient times it was customary for the preceding reader to officiate as steward of the house at Christmas; but this office being thought to be beneath his dignity, was commuted by a fine of money, and afterwards by a brawn and muscadine.

On the Tuesday and Thursday evenings there were usually *moots* after supper, before the benchers who assembled for that purpose in the bay window at the upper end of the hall, and ranked according to seniority.

A reader was also obliged to read in his turn a second time, and was then called a "double reader;" but his expenses were more moderate, and he had a more liberal allowance from the house.

The benchers of this inn of court enjoy great privileges. They may come within the bar at the chapel of the rolls, among the serjeants-at-law and the king's council, and are heard by the master of the rolls in preference to other members.

Any member of this society made recorder of London takes precedence as a reader, though otherwise not in his turn. Serjeants-at-law have always been chosen from among the readers, and in this event are placed at the upper end of the bench table as elected to that office, though the newly-made serjeant is still accounted a bencher, and in commons, till he receives the *coif*, when he takes leave of the house with the following ceremony. In the morning all the members of the society meet in the hall, where likewise comes the serjeant-elect. The treasurer makes a grave and learned speech, and then presents him as the gift of the whole society, with a purse of ten pounds raised by a collection of 3*s.* 4*d.* each member.

The newly-made serjeant is allowed to retain his chamber until he is assigned one in one of the serjeants' inns. If he is suspended from his degree, or accepts another office, as attorney or solicitor-general, he returns again into commons without any new admittance.

When a serjeant of this society is made a judge he is accompanied to Westminster Hall by all the fellows of the house; and they are afterwards at liberty to request his advice and assistance in all matters relating to the welfare of the society.

Besides benchers there are other members called "associates," who sit at the bench table, but have no voice in the government of the house. They are persons who hold eminent offices, and receive this favour by courtesy.

There was also formerly an officer, called the "bailiff of the moots," who was elected after dinner on the Saturday preceding every reading. It was his duty to receive the moot cases, and to assign to all moot-men "to go out in their turns, and to direct to what inns, and upon what cases they are to go out upon." Among his other duties he had to "direct the cook to dress a made dish for every couple of moots-men that go out together; which they are to have at the next meal following, besides Mr. Reader's exceedings."